

§ 130.2

9 CFR Ch. I (1–1–98 Edition)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38957, July 21, 1993; 58 FR 67654, Dec. 22, 1993; 59 FR 67617, Dec. 30, 1994; 61 FR 20432, May 7, 1996; 62 FR 56026, Oct. 28, 1997]

§ 130.2 User fees for individual animals and certain birds quarantined in APHIS Animal Import Centers.

(a) The person for whom the service is provided and the person requesting the service are jointly and severally liable for the following user fees, which include standard care, feed, and handling, and which must be paid for each animal or bird quarantined in an Animal Import Center⁵:

Animal or bird	Daily
Birds (including zoo birds, but excluding ratites and pet birds imported in accordance with part 93 of this subchapter):	
0–250 grams	\$1.00
251–1,000 grams	3.25
Over 1,000 grams, and any bird in nonstandard housing or receiving nonstandard care and handling	7.50
Ratites:	
Chicks (less than 3 months of age)	5.75
Juveniles (3 months through 10 months of age)	8.00
Adults (11 months of age and older) ..	16.25
Poultry (including zoo poultry):	
Doves, pigeons, quail	2.00
Chickens, ducks, grouse, guinea fowl, partridge, pea fowl, pheasants	3.50
Game cocks, geese, swans, turkeys, any poultry housed in nonstandard housing or receiving nonstandard care and handling	8.25
Equines (including zoo equines, but excluding miniature horses):	
1st through 3rd day	149.50
4th through 7th day	108.25
8th and later days	91.75
Miniature horses	40.25
Zoo animals (except equines, birds, and poultry)	32.25
Domestic animals:	
Camels, cattle, bison, buffalo	56.50
All others	15.00

(b) The importer may, at his or her option, request that birds or poultry be housed in nonstandard housing. Nonstandard housing is individual housing, any housing not normally available at the Animal Import Center, any housing constructed or purchased at the request of the importer, any housing with blinds, dense foliage, or plants, and any housing where the temperature can be adjusted.

⁵ APHIS Animal Import Centers are located in Honolulu, HI, Miami, FL, and Newburgh, NY. The addresses of these facilities are published in part 93 of this chapter.

(c) The importer may, at his or her option, request that birds or poultry be given nonstandard care and handling. Nonstandard care and handling includes hand-feeding, more than one feeding a day, frequent observation, and any handling or observation which requires personnel to attend to the birds or poultry outside of normal business hours.⁶

(d) If any bird or poultry is fed a diet other than seed, including but not limited to diets of fruit, insects, nectar or fish, the importer must either provide feed or pay for it on an actual cost basis, including the cost of delivery to the Animal Import Center.

(e) Any reservation fee paid by the importer under part 93 of this chapter, will be applied to the APHIS user fees due for animals or birds quarantined in an Animal Import Center.

(Approved by the Office of Management and Budget under control number 0579–0094)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38958, July 21, 1993; 58 FR 67654, Dec. 22, 1993; 61 FR 20432, May 7, 1996; 62 FR 56026, Oct. 28, 1997]

§ 130.3 User fees for exclusive use of space at APHIS Animal Import Centers.

(a)(1) An importer may, at his or her option, exclusively occupy space at APHIS Animal Import Centers as specified below. The person for whom the service is provided and the person requesting the service are jointly and severally liable for the user fee which will be charged for the space as follows:

Animal import center	Space available	Monthly user fee
Miami, FL:		
South Wing ...	6,952 sq. ft. (645.9 sq. m.)	\$30,285.00
North Wing ...	6,545 sq. ft. (608.1 sq. m.)	29,377.00
Newburgh, NY:		
Space A	5,904 sq. ft. (548.5 sq. m.)	47,609.00
Space B	9,742 sq. ft. (905 sq. m.)	78,555.00

(2) Any importer who occupies space for more than 30 days must pay 1/30th

⁶ Normal business hours at the Animal Import Centers are: 7:30 a.m. to 11:30 a.m., Honolulu, HI; 7 a.m. to 3:30 p.m., Miami, FL; and 8 a.m. to 4:30 p.m., Newburgh, NY.

of the 30-day fee for each additional day or part of a day. The person for whom the service is provided and the person requesting the service are jointly and severally liable for any additional charges.

(3) Unless the importer cancels the reservation for exclusive use of space in time to receive a refund of the reservation fee in accordance with 9 CFR 93.103, 93.204, 93.304, 93.404, or 93.504, as appropriate, the 30-day user fee will be effective as of the first day for which the importer has reserved the space, regardless of whether the user occupies the space on that date or not.

(b) Users must provide APHIS personnel at the Animal Import Center, at the time they make a reservation for quarantine space, with the following information:

- (1) Species of animals and birds to be quarantined;
- (2) Ages of animals and birds to be quarantined; and
- (3) Sizes of animals and birds to be quarantined.

(c)(1) APHIS personnel at the Animal Import Center will determine, based on the information provided by the importer under paragraph (b) of this section, and on routine husbandry needs, the maximum number of animals and birds permitted in the requested building.

(2) If the number of animals and birds requested by the importer can be housed in the space requested, as determined by APHIS personnel at the Animal Import Center, but two animal health technicians cannot fulfill the routine husbandry needs of the number of animals or birds proposed by the importer, then the importer must pay for additional services on an hourly basis, or reduce the number of animals or birds to be quarantined to a number which APHIS personnel at the Animal Import Center determine can be handled by two animal health technicians.

(3) If the importer chooses to pay for additional services on an hourly basis, the user fees for each employee required to perform the service are:

- (i) \$56.00 per hour;
- (ii) \$14.00 per quarter-hour;
- (iii) With a minimum of \$16.50.
- (d) The importer must provide feed, or pay for it on an actual cost basis, in-

cluding cost of delivery to the Animal Import Center.

(Approved by the Office of Management and Budget under control numbers 0579-0040 and 0579-0094)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 67654, Dec. 22, 1993; 61 FR 20432, May 7, 1996; 62 FR 56026, Oct. 28, 1997]

§ 130.4 [Reserved]

§ 130.5 User fees for services at privately operated permanent and temporary import-quarantine facilities.

(a) The person for whom the service is provided and the person requesting the service are jointly and severally liable for paying the user fee for each animal quarantined in a privately operated permanent or temporary import-quarantine facility.

(b) The user fees are:

- (1) \$56.00 per hour; and
- (2) \$14.00 per quarter-hour;

(3) With a minimum user fee of \$16.50 for any service provided on an hourly basis.

(c) If a service must be conducted on a Sunday or holiday or at any other time outside the normal tour of duty of the employee, then the premium user fee rate, as provided for in 9 CFR part 97, in lieu of the user fee listed in paragraph (b) of this section, must be paid for each employee required to perform each service:

- (1) \$65.00 per hour for weekdays and holidays;
- (2) \$16.25 per quarter-hour for weekdays and holidays;
- (3) \$74.00 per hour for Sundays;
- (4) \$18.50 per quarter-hour for Sundays;
- (5) With a minimum of \$16.50.

(Approved by the Office of Management and Budget under control number 0579-0094)

[57 FR 771, Jan. 9, 1992, as amended at 58 FR 38958, July 21, 1993; 58 FR 67655, Dec. 22, 1993; 61 FR 20433, May 7, 1996]

§ 130.6 User fees for import or entry services for live animals at land border ports along the United States-Mexico border.

(a) The person for whom the service is provided and the person requesting the service are jointly and severally